

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOMINIC V. DiMODICA,

Plaintiff,

v.

ROBERT MURPHY, KATHLEEN
DENNEHY, and the MASSACHUSETTS
DEPARTMENT OF CORRECTION,

Defendants.

Civil Action No. 05-10286-PBS

PLAINTIFF'S STATUS REPORT

Pursuant to the Court's Order during the June 12, 2006 motion hearing, Plaintiff Dominic V. DiModica ("Plaintiff") provides the following status report:

1. Plaintiff's counsel retained Dr. Donald L. Round, Ph.D. ("Dr. Round") of McLean Hospital to perform a neuropsychological assessment of Plaintiff to assist counsel and Plaintiff's Court-appointed *guardian ad litem*, Mark Gillis, Esq., in determining Plaintiff's level of functioning;
2. Dr. Round met with Plaintiff at the Massachusetts Treatment Center on June 7, 2006;
3. Dr. Round has completed a draft report, which he expects to finalize before the next status conference in this matter, which has been scheduled for July 28;
4. Plaintiff's counsel will prepare and submit to the Court an invoice and affidavit from Dr. Round so that Plaintiff may obtain the funds that the Court generously set aside for this matter to pay Dr. Round's fees; and

5. Plaintiff's counsel and Plaintiff's Court-appointed *guardian ad litem* will attempt to confer regarding Dr. Round's report in advance of the July 28 status conference to develop a proposed discovery plan for this case going forward.

Respectfully submitted,

DOMINIC V. DiMODICA,

By his attorney,

/s/ Jennifer A. Serafyn

Jennifer A. Serafyn (BBO #653739)

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Date: July 12, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper will be sent to those indicated as not registered participants as of July 12, 2006.

/s/ Jennifer A. Serafyn